



Columbia County Planning Commission
Proposed Agenda for June 16, 2016 at 6:00 P.M.
Evans Government Center Auditorium
Evans, Georgia

Planning Commissioners:

Countywide - Jim Cox

District 1 – Chris Noah

Vice-Chairman – Donald Skinner

District 3 – Richard Henderson, Sr.

District 4 – Dewey Galeas

- A. CALL TO ORDER..... Chairman Cox
- B. INVOCATION Chairman Cox
- C. PLEDGE OF ALLEGIANCE..... Chairman Cox
- D. ROLL CALL / QUORUM Chairman Cox
- E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING Chairman Cox
 - 1. June 2, 2016
- F. APPROVAL OF THE AGENDA Chairman Cox
- G. PRESENTATION..... Chairman Cox
- H. DEBATE AGENDA Chairman Cox
 - 1. Unfinished Business Chairman Cox
 - a. Rezoning
 - 1. None
 - b. Variance
 - 1. None
 - 2. New Business Chairman Cox
 - a. Conceptual Plan
 - 1. None
 - b. Preliminary Plat
 - 1. None
 - c. Final Plat
 - 1. **Bartram Trail IX**, located off of Bartram Ridge, zoned PUD (Planned Unit Development), 41 lots, 24.82 +/- acres, Tax Map 060 Parcel 968G, *Commission District 3. Staff Assignment Nayna Mistry.*
 - 2. **Deer Run Estates**, located off of Deerwood Lane, zoned R-1 (Single Family Residential), 9 lots, 20.6 +/- acres, Tax Map 071 Parcel 034, *Commission District 1. Staff Assignment Nayna Mistry.*
 - d. Public Hearings
 - 1. **RZ16-06-03, (Public Hearing)**, Major PUD (Planned Unit Development) Revision, Tax Map 073 Parcel 046A, 107.8+/- acres, located at 4275 Owens Road. *Commission District 2. Staff Assignment Danielle Bolte.*

2. **RZ16-06-04, (Public Hearing)**, Major PUD (Planned Unit Development) Revision, Tax Map 082J Parcel 016, 0.72+/- acres, located at 3801 Park Lane. *Commission District 1. **Staff Assignment Danielle Bolte.***
3. **VA16-06-02, (Public Hearing)**, Variance to Section 90-144 *Place of Building and Structure*, Tax Map 068 Parcel 308, 2.19+/- acres, located at 875 Lake Royal Drive. *Commission District 2. **Staff Assignment Will Butler.***

e. Items Added (which need immediate action or have not gone before Committee)

1. None

I. LEGAL MATTERS County Attorney Driver

1. None

J. STAFF AND COMMISSIONER COMMENTS Chairman Cox

1. None

K. PUBLIC COMMENTS AND PARTICIPATION Chairman Cox

The next scheduled Planning Commission meeting is July 7, 2016 at 6:00 P.M. in the Auditorium of Building A at the Evans Government Center.



FINAL PLAT

June 16, 2016

BARTRAM TRAIL
Phase IX

Property Information

Subdivision Name	Bartram Trail, Phase IX
Location/address	Off Bartram Ridge
Tax Map / Parcel	Tax Map 060 Parcel 968G
Total Acreage	24.82 acres
Number of lots/units	41
Zoning	PUD (Planned Unit Development)
Surveyor	Cranston Engineering
Commission District	District 3 (Richardson)
Recommendation	Approval

Summary and Recommendation

Euchee Creek Investors, Inc., seeks final plat approval for 41 residential lots on 24.82 acres located off Bartram Ridge. The property is zoned PUD (Planned Unit Development). The Board of Commissioners approved the PUD zoning in July 1999 with a subsequent revision in December 2000. The preliminary plat was approved on November 6, 2014.

The average residential lot size is 22,768 square-feet with a minimum lot size of 15,882 square-feet. The lots will have a 55-foot front setback from the centerline. Each lot will have 10-foot side and rear setbacks.

Sidewalks are proposed on both sides of the streets; the developer will be responsible for installing all sidewalks around open space areas prior to the expiration of the warranty period, with sidewalks in front of building lots installed as the homes are built. Just less than 1 acre (0.99 acres) of open space is provided in this phase.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



FINAL PLAT

June 16, 2016

Deer Run Estates

Property Information

Subdivision Name	Deer Run Estates
Location/address	Off Deerwood Lane
Tax Map / Parcel	Tax Map 071 Parcel 034
Total Acreage	20.6 acres
Number of lots/units	9
Zoning	R-1 (Single Family Residential)
Surveyor	James G Swift & Associates
Commission District	District 1 (Duncan)
Recommendation	Approval

Summary and Recommendation

RT Bailey seeks final plat approval for 9 residential lots on 20.6 acres located off Deerwood Lane. The property is zoned R-1 (Single Family Residential). The preliminary plat was approved on July 16, 2015.

The average residential lot size is 31,908 square-feet with a minimum lot size of 30,083 square-feet. Sewer will be extended to the property as part of this development; therefore, the minimum lot size permitted would be 30,000 square feet.

The lots will have a 65-foot front setback from the centerline of the road. Each lot will have 10-foot side and 25-foot rear setbacks.

Sidewalks are not proposed as part of this development.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



REZONING

June 16, 2016

FILE : RZ16-06-03

Major PUD Revision

Property Information	
Tax Map/Parcel ID	Tax Map 073 Parcel 046A
Address/Location	4275 Owens Road
Acreage (+/-)	107.8 +/- acres
Current Zoning	PUD (Planned Unit Development)
Existing Use	Brandon Wilde Senior Living
Request	Major Revision
Commission District	District 2 (Allen)
Recommendation	Approval

Summary and Recommendation

Owner the Augusta Resource Center on Aging, Inc., and applicant Johnson, Laschober & Associates request a major revision to the PUD (Planned Unit Development) for Brandon Wilde, Tax Map 073 Parcel 046A, 107.8 +/- acres located at 4275 Owens Road.

The property in question is located at the intersection of Washington Road and Owens Road in Evans Town Center and is currently zoned PUD (Planned Unit Development). Surrounding properties are zoned PUD to the north for the medical complex, R-2 (Single Family Residential) to the west, and C-2 (General Commercial) to the east and south across Owens and Washington Roads.

The applicants are requesting to add massage as an accessory use within the PUD. Massage services would be offered as part of the new salon and spa to open in the main building and will be available only to the residents of Brandon Wilde.

Per the submitted narrative, massage therapy will be beneficial to the residents at Brandon Wilde in a variety of ways, from improvements in range of motion, posture, and pain management to improvements in mental awareness, energy, and sleep quality. Since the service will be provided as part of the salon and spa and will only be available to Brandon Wilde residents, staff sees no issues with the request.

Staff recommends **approval** of the major revision to the PUD (Planned Unit Development) for Brandon Wilde, Tax Map 073 Parcel 046A, 107.8 +/- acres located at 4275 Owens Road, to add massage as an approved use.



REZONING

June 16, 2016

FILE : RZ16-06-03

Major PUD Revision

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Comments:

Building Standards:

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

Fire Marshal:

To comply with applicable fire codes.

Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**
The proposed use is a reasonable expansion of the services offered at Brandon Wilde and is suitable given the commercial and professional nature of the area.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**
The adopted future land use map shows this area as part of the Evans Town Center Activity Center. Commercial and professional uses such as massage therapy are appropriate in this area.

6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**
The proposal meets this test.





REZONING

June 16, 2016

FILE : RZ16-06-04

Major PUD Revision

Property Information	
Tax Map/Parcel ID	Tax Map 082J Parcel 016
Address/Location	3801 Park Lane
Acreage (+/-)	0.72 +/- acres
Current Zoning	PUD (Planned Unit Development)
Existing Use	Residential
Request	Major Revision
Commission District	District 1 (Duncan)
Recommendation	Disapproval

Summary and Recommendation

Owners William and Sheila Fuller and applicant Piyush Patel request a major revision to the PUD (Planned Unit Development) for Forest Creek for one parcel, Tax Map 082J Parcel 016, 0.72 +/- acres located at 3801 Park Lane.

The property in question is located at the intersection of Furys Ferry Road and Park Lane and is part of the Forest Creek PUD (Planned Unit Development). Surrounding parcels are primarily zoned PUD, with West Lake across Furys Ferry from this parcel and the rest of Forest Creek to the sides and rear.

The applicants are requesting to revise the use of this parcel from residential to commercial. The original PUD included this lot as part of the single family residential section of the development, with neighborhood commercial development in the long narrow parcel just to the north (Tax Map 082 Parcel 080A). The PUD originally included apartments on the opposite side of Park Lane, although this was later revised for commercial development and greenspace, which has since been dedicated to the County.

The applicants are proposing to revise the PUD for this corner parcel to add additional commercial use to the PUD in order to put a fast food restaurant and office space on this property. The designated commercial sections of this PUD and of the West Lake PUD have not been built out yet, but are both designated to follow the C-1 (Neighborhood Commercial) zoning designation. The rest of the commercial uses in the immediate area are also C-1 and many are part of additional PUDs, such as the Pass.

Under our current permitted use table, a fast food restaurant would require conditional use approval in a C-1 zone, which the proposed major PUD revision would cover. However, the permitted use tables are currently under revision, and under the new permitted use table drive-through facilities would not be permitted in C-1 and restaurants would be limited to less than 7500 square feet. The



REZONING

June 16, 2016

FILE : RZ16-06-04

Major PUD Revision

proposed use as a fast food restaurant is therefore not in keeping with the nearby commercial development.

Additionally, Furys Ferry Road is not a designated growth corridor under the newly adopted Growth Management Plan and this parcel is not in one of the designated activity centers. The designated activity centers along Furys Ferry Road in the immediate vicinity of this property are at the intersections with Evans to Locks Road, to the north, and Baston Road, to the south. The proposed use would be appropriate in either of these activity centers, but in staff's opinion is not appropriate on this property.

Staff recommends **disapproval** of the major revision to the PUD (Planned Unit Development) for Forest Creek for one parcel, Tax Map 082J Parcel 016, 0.72 +/- acres located at 3801 Park Lane, to change the use of the property from residential to commercial.

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Comments:

Building Standards:

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

Fire Marshal:

To comply with applicable fire codes.

Health Department:

This project should be on county water and sewer, therefore, the Health Department does not need to be contacted prior to advancement of the project and there are no specific comments or conditions.

Planning:

No variances to Code have been expressed or implied.

Stormwater Management:

1. Stormwater detention will be required unless site improvements result in no net increase in runoff.
2. Stormwater quality will be required.

Water and Sewer:

Water and sewer service is available to the parcel. The current residence is connected to both services.

Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The proposed revision is not suitable in this location. This parcel lies at the entrance to the Forest Creek subdivision; it has not been County policy to rezone land within subdivisions for commercial use. Additionally, the surrounding commercial development and commercial sections of the PUDs are designated as C-1. Currently, fast food restaurants require conditional use approval to be located in C-1; under the current draft of the revised permitted uses table, drive through facilities, which are typically associated with fast food restaurants, would not be permitted at all. Therefore the use proposed for this parcel is not in keeping with the development of the adjacent neighborhood nor is it in keeping with the character of surrounding commercial development.

2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The proposal would likely not prohibit use of adjacent or nearby properties, however, commercial development adjacent to residential properties can create issues such as light spillover, noise, and traffic that would have to be mitigated.

3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property does have a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**

The proposal will not cause an excessive burden on existing facilities.

5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**

The adopted future land use map shows this area as neighborhood development. The intent of the adopted land use plan is to concentrate commercial development in activity centers, which in this area of Furys Ferry Road are located at the intersections with Evans to Locks and Baston Roads. Permitting additional commercial development in this neighborhood area would not be in keeping with the intent of the future land use plan.

6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

There are multiple utility easements across this parcel that will complicate development, however, these do not necessarily preclude the proposed use.

7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**

The proposal does not meet this test.



VARIANCE

June 16th, 2016

FILE : VA16-06-02

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 068 Parcel 308
Address/Location	875 Lake Royal Drive
Acreage (+/-)	2.19 +/- acres
Current Zoning	R-1 Residential
Existing Use	Residential
Request	Variance to Section 90-144 <i>Placement of Buildings & Structures</i>
Commission District	District 2 (Allen)
Recommendation	Disapproval

Summary and Recommendation

Owner and applicant Robert Bookman requests a variance to Section 90-144 *Placement of Buildings & Structures* for Tax Map 068 Parcel 308, 2.19 +/- acres located at 875 Lake Royal Drive, currently zoned R-1 (Residential) to permit an approximately 14 foot high fence for noise reduction.

The subject property and adjacent properties are zoned R-1 Residential.

The applicant requests a variance to Section 90-144 *Placement of Buildings & Structures* to continue to construct an approximately 14 foot high fence at approximately 2 feet from the northern property line for noise reduction. The request stems from a code enforcement issue where the applicant constructed the metal fence to alleviate noise coming from their lot and impacting the adjacent lot at 881 Lake Royal Drive. Fences in R-1 are not permitted to exceed eight feet in height. In addition, while some segments of the fence were painted to blend in with the surrounding vegetation, others were left unfinished facing the adjacent property and were very visible. These two factors led to the code enforcement issue and the variance request from the applicant.

The rationale stated by the applicant is that a lower fence, such as one required by code, would not provide the soundproofing demanded by the neighbor on the adjacent property. The applicant also has stated that the neighbor consented to the fence being constructed. While staff sees the logic in this argument, the applicant's property does sit approximately 6 feet higher than the adjacent property and along this ridgeline would be the best place to put an 8 foot fence and achieve the desired effect. In addition, the use of metal roofing panels is not appropriate as a fencing material. For these stated reasons, staff cannot recommend approval of the request.

During the course of staff's review, it was brought to our attention by the attorney for the adjacent neighbor that there were inconsistencies with the submitted application. The specific claim is that the applicant does not have standing to make the application because they are not the owner of the



VARIANCE

June 16th, 2016

FILE : VA16-06-02

Variance

property, nor can they attain approval because the listed owner is deceased. Further, there is not any proof that the will of the owner has been probated or transferred to the applicant. Staff has requested this information proving that the applicant, Robert J. Bookman, has standing to make the application from the applicant's attorney. However, this information was not received prior to the deadline for submittal of this staff recommendation. If this information is not received prior to the Planning Commission meeting, then the application will be deemed filed in error and will not proceed.

Staff recommends **disapproval** of the variance to Section 90-144 *Placement of Buildings & Structures* for Tax Map 068 Parcel 308, 2.19 +/- acres located at 875 Lake Royal Drive, currently zoned R-1 (Residential) to permit an approximately 14' high fence due to a ridgeline being available on the property that would be more suitable for a fence than the location chosen by the applicant .

Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

Comments:

Building Standards:

Ensure all applicable codes provided by the International Residential Code are met.

Fire Marshal:

To comply with applicable fire codes.

Planning:

Conditions supplement but do not eliminate other code requirements which pertain to site development. No additional variances from code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

Criteria for Evaluation of Variance Proposal

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**

The property is situated on a rise in comparison to the adjacent property at 881 Lake Royal. The driveway for the subject property is approximately 6 feet higher than the land at the property line. In comparison, most lots in the vicinity do not have a drop going from north to south. Lots are oriented in such a way that land is falling away from the front of the lot to the rear (west to east in this case). However, a fence could be placed on this ridge to accomplish the same effect without the variance request.

2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

The property could still be used and a fence could be placed on the higher elevation near the driveway to accomplish the goals of the applicant. This could create an area between the applicant and adjacent property owner that was unseen by the applicant, but seen by the neighbor that could become overgrown and contentious. However, the addition of a gate would alleviate this issue.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

As mentioned, there are topographical issues at play with this lot since the adjacent property sits approximately 6 feet below the subject property where the fence is constructed.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

While it does appear that the fence blends in with the surrounding vegetation, the granting of a variance for a 14 foot high fence made of roofing panels presents some issue for future applications. Staff is concerned with how an approval of a request such as this would impact future, similar requests.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

In staff's opinion the applicant has provided an explanation for the variance. However, staff is concerned that proof of ownership of the property by the applicant has not been provided at the time of publication and the application could be invalid. If this information is not provided before the Planning Commission hearing, then the application was made in error and will not proceed.

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.